

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MATTHEW MORRIS,)
)
Petitioner,)
)
v.)
) 1:24-cv-395
N.C. DEPARTMENT OF ADULT)
CORRECTIONS, and)
MARY LOCKLEAR,)
)
Respondents.)

ORDER

On May 13, 2024, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the Petitioner pursuant to 28 U.S.C. § 636. (Docs. 3, 4, 5.) No objections were filed within the time prescribed by Section 636.

The record reflects that the Recommendation was served by mail to Petitioner's last known address at Lumberton Correctional Inst., 75 Legend Rd., Lumberton, North Carolina, but returned as undeliverable and marked "RTS - Released, Not Deliverable as Addressed and Unable to Forward." (See Doc. 5.) This court has no obligation to locate Petitioner to provide actual notice; instead, it is the duty of a litigant to keep this court informed of a current address. LR 11.1(b). Because Plaintiff has not provided the court with an address within 63

days of the date of the last return of mail, the court finds the case should be dismissed without prejudice for failure to prosecute. See LR 11.1(b).

IT IS THEREFORE ORDERED that Petitioner's Complaint, (Doc. 2), is hereby, **DISMISSED WITHOUT PREJUDICE** pursuant to Local Rule 11.1(b) for failure to prosecute.

A Judgment dismissing this action will be filed contemporaneously herewith.

This the 20th day of August, 2024.

William L. Osten, Jr.
United States District Judge